

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: YANCY )  
Serial No.: )  
Filed: 04/11/01 )  
For: SYSTEM, METHOD AND ARTICLE )  
OF MANUFACTURE TO DETERMINE )  
AND COMMUNICATE OPTICAL )  
LENS SIZING AND PRESCRIPTION )  
INFORMATION )  
Art Unit: 2877 )  
Examiner: NGUYEN, S. )

**PRELIMINARY AMENDMENT**

Director of the United States Patent and Trademark Office  
Washington, D.C. 20231

In the Specification:

Please amend "Cross Reference To Related Applications" as follows:

--This is a divisional application of application Serial No. 09/488,274 filed January 20, 2000.--

In the claims:

Cancel claims 1 through 13 and 18 and 19.

Rewrite claims 14 through 17 as follows:

14. (Amended) A first computer program embodied on a computer-readable medium which adapts a client general purpose computer which determines [for determining] and [transmitting] transmits optical lens sizing and prescription data comprising:

- (a) a code segment for retrieving [said] a stored image of [said] a represented optical lens object;
- (b) a code segment for deriving said optical lens object center coordinates from said [scanned] stored image;
- (c) a code segment for deriving a starting radian of said optical lens object center coordinates from said [scanned] stored image;
- (d) a code segment for centering a retrieved [scanned] stored image;
- (e) a code segment for deriving the radial shape of said optical lens object from said [scanned] stored image;
- (f) a code segment for deriving the size of said derived radial shape of said optical lens object from said [scanned] stored image;
- (g) a code segment for smoothing said derived radial shape;
- (h) a code segment for identifying and retrieving patient related information from said scanned image;
- (i) a code segment for transmitting said derived optical lens object radial shape, size, center and patent related information from a client central processing unit to a server central processing unit.

15. (Amended) The computer program of claim 14 further comprising:
- (a) a code segment for modifying the size of said derived radial shape; and,
- (b) a code segment for altering and displaying a rotatable view of said derived radial and smoothed shape.

16. (Amended) The second computer program of claim [14] 21 further comprising [wherein said program for said transmission of said information is executed from within a server central processing unit and effectuates] the transmission of client directed information from said server central processing unit to [a] said client central processing unit.
17. (Amended) The computer program of claim [14] 21 further comprising [wherein said transmission of said information effectuates] the transmission of said information from said server central processing unit to a plurality of client central processing units.

Add new claims 20 and 21 as follows:

20. The computer program of claim 14 further comprising:  
(a) a code segment for identifying and retrieving patient related information from scanned image.
21. A second computer program embodied on a computer-readable medium which adapts a server general purpose computer to communicate with a client general purpose computer in response to said client computer's transmission of optical lens sizing and prescription data.

Attached hereto are replacement pages reflecting a clean version of the claims as amended.

#### **REMARKS**

Remaining in the application are claims 14 through 17 and new claims 20 and 21.

In the first Office Action mailed on 03/13/01 in the parent application Serial No. 09/488,274, Examiner Nguyen required a restriction to one of the following inventions under 35 USC 121:

- I. Claims 1-13, drawn to a system and a method for determining and transmitting optical lens and prescription data, classified in class 356, subclass 124.
- II. Claims 14-17, drawn to a computer program embodied on a computer-readable medium, classified in class 434, subclass 262; and
- III. Claims 18-19, drawn to an optical lens tracing pen comprising a circular shaped cylinder, a fine tipped ink pen refill embedded within the cylinder, and an inking tip located within on one end of the refill, classified in class 359, subclass 360.

In response to this restriction requirement, the claims in group I were elected and the claims in groups II and III, that is, claims 14-19 were cancelled without prejudice to Applicant's rights. This divisional application is therefore intended to prosecute the claims in group II, that is claims 14-17 of the parent application.

Enclosed is a Request and Certification requesting that the above-referenced application not be published under 35 U.S.C. 122(b).

Respectfully Submitted

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**The following is a clean version of all pending claims in the case.**

14. (Amended) A first computer program embodied on a computer-readable medium which adapts a client general purpose computer which determines and transmits optical lens sizing and prescription data comprising:
- (a) a code segment for retrieving a stored image of a represented optical lens object;
  - (b) a code segment for deriving said optical lens object center coordinates from said stored image;
  - (c) a code segment for deriving a starting radian of said optical lens object center coordinates from said stored image;
  - (d) a code segment for centering a retrieved stored image;
  - (e) a code segment for deriving the radial shape of said optical lens object from said stored image;
  - (f) a code segment for deriving the size of said derived radial shape of said optical lens object from said stored image;
  - (g) a code segment for smoothing said derived radial shape;
  - (h) a code segment for identifying and retrieving patient related information from said scanned image;
  - (i) a code segment for transmitting said derived optical lens object radial shape, size, center and patent related information from a client central processing unit to a server central processing unit.

15. (Amended) The computer program of claim 14 further comprising:
- (a) a code segment for modifying the size of said derived radial shape; and,
  - (b) a code segment for altering and displaying a rotatable view of said derived radial and smoothed shape.
16. (Amended) The second computer program of claim 21 further comprising the transmission of client directed information from said server central processing unit to said client central processing unit.
17. (Amended) The computer program of claim 21 further comprising the transmission of said information from said server central processing unit to a plurality of client central processing units.
20. The computer program of claim 14 further comprising:
- (a) a code segment for identifying and retrieving patient related information from scanned image.
21. A second computer program embodied on a computer-readable medium which adapts a server general purpose computer to communicate with a client general purpose computer in response to said client computer's transmission of optical lens sizing and prescription data.